

1 **Section 5-700 Regulations for Optional Development Types**

2 **5-701 Transition (TR) Districts Lot Standards.**

3 (A) **Purpose.** The purpose of the Transition (TR) Districts Lot Standards is
4 to:

5 (1) Provide for development in the Transition (TR) zoned areas of the
6 County, in ways that encourage efficient development patterns, ~~and~~
7 ~~protect primary conservation areas in ways that conform with~~
8 ~~conservation design standards.~~

9 (2) Facilitate a transition in the scale of development from the
10 suburban area to the rural area of the County.

11 ~~(3)~~ Facilitate the protection of the 300-foot buffer proposed along the
12 Bull Run, ~~consistent with the standards and requirements of~~
13 ~~RSCOD.~~

14 ~~(4)~~ Facilitate the protection of the 300-foot buffer along the Goose
15 Creek and the Goose Creek Reservoir and the Beaverdam
16 Reservoir, ~~consistent with the standards and requirements of~~
17 ~~RSCOD.~~

18 (B) **Applicability.** The procedures and standards of this section shall apply to
19 the subdivision of two or more lots on all lands located in the TR-10, TR-3
20 (TR-3UBF, TR-3LBR, TR-3LF), TR-2, and TR-1 (TR-1UBF, TR-1LF)
21 districts.

22 (C) **Standards.** The standards of this section shall apply to all development
23 subject to the TR Districts Lot Standards.

24 (1) **Base Density.** The maximum gross density allowed in the TR
25 districts under these standards is:

26 (a) TR-10 district: 1 dwelling unit per 10 acres.

27 (b) TR-3 districts: 1 dwelling unit per 3 acres.

28 (c) TR-2 district: 1 dwelling unit per 20,000 sq. ft.

29 (d) TR-1 districts: 1 dwelling unit per 40,000 sq. ft.

30 (2) **Open Space.** A minimum percentage of the site shall consist of
31 open space, as follows:

32 (a) In the TR-10 district, a minimum of 70 percent of the site
33 shall be maintained as open space.

34 (b) In the TR-3 districts:

(i) In the TR-3LBR sub-district, a minimum of 70 percent of the site shall be maintained as open space.

(ii) In the TR-3UBF and TR-3LF sub-districts, a minimum of 50 percent of the site shall be maintained as open space.

(c) In the TR-2 district, a minimum of 50 percent of the site shall be maintained as open space.

(d) In the TR-1UBF and TR-1LF sub-districts, a minimum of 50 percent of the site shall be maintained as open space.

(3) **Lot and Open Space Standards.** The two elements of the subdivision are (1) the lot area(s) and (2) the open space. The site layout of these elements shall occur during the review of a preliminary plat for subdivision, ~~simultaneously with the analysis and site planning required to comply with Section 6-2000 (Conservation Design).~~ Establishment of the lots and open space on the site shall comply with the following standards:

(a) **Lot Standards.** Lots shall comply with the following standards (see Table 5-701(C)(3)(a)).

TABLE 5-701(C)(3)(a): LOT STANDARDS						
District	Lot Grouping	Min. Size Lot	Min. Front Yard	Min. Rear Yard	Min. Side Yard	Max. Building Height
TR-10	Minimum: 5 Maximum: No maximum Lots of less than 5 acres must be grouped in accord with Section 5-701(C)(3)(a)(ii).	None	20 feet	25 feet	10 feet	35 feet
TR-3LBR	Minimum: 5; Maximum 25	None	12 feet	25 feet	7 feet	35 feet
TR-3LF, TR-3UBF	Minimum: 5; Maximum 25	None	12 feet	25 feet	7 feet	35 feet
TR-2	Minimum: 5; Maximum 25	None	10 feet	25 feet	5 feet	35 feet
TR-1LF, TR-1UBF	Minimum: 5; Maximum 25	None	10 feet	25 feet	5 feet	35 feet

(i) **Lot Yield.** The total number of lots on a site shall not exceed the number permitted to accommodate the base density established by Section 5-701(C)(1), regardless of whether the lot is used for a residential or nonresidential use.

(ii) **Number of Lots in a Group.** Lots that are less than 5 acres in size shall be located in a contiguous group, with adjacent and fronting lots oriented toward each other, as on a street, green or paved square. The number of grouped lots shall consist of a minimum of 5 lots and a maximum of 25 lots with the exception of TR-10, except that a contiguous group may consist of fewer than 5 lots if:

1. There will be fewer than 5 lots on the entire site that are less than 5 acres in size; or
2. It is demonstrated that a grouping of fewer than 5 lots will result in greater amounts of contiguous open space or result in less denigration of features within an environmental overlay district—~~primary conservation areas~~—than residential grouping(s) of 5 lots or more.

(iii) **Number of Groups.** A single group shall contain all the lots on a site that are less than 5 acres, where the total number of such lots is 25 or fewer, except that multiple groups may be allowed where:

1. It is demonstrated that multiple groups will result in greater amounts of contiguous open space; or result in less denigration of features within an environmental overlay district—~~primary conservation areas~~; and
2. None of the groups contain fewer than 5 lots, unless allowed as provided in Section 5-701(C)(3)(a)(ii).

(iv) **Dimensional Standards of Lots.**

1. In the TR districts there is no maximum or minimum lot size.
2. The yard requirements for the lots in the TR districts shall comply with the standards established in Table 5-701(C)(3)(a).
3. The maximum building height shall not exceed 35 feet.

(b) ~~**Open Space.** The required percentage of open space on the site shall consist of, in order of priority, (1) primary conservation area lands, and (2) other lands (lands other than primary conservation areas), as follows:~~

(i) **~~Primary Conservation Area Lands.~~** All primary conservation area lands shall be included in the open space and shall comply with the requirements of ~~Section 6-2000 (Conservation Design), Section 4-1600 (MDOD), Section 4-1900 (LOD), Section 4-2000 (RSCOD), and Section 5-1508 (Steep Slope Standards), where applicable. One hundred percent (100%) of the primary conservation area lands protected shall be credited against the open space requirement for the subdivision.~~

(ii) **~~Other Lands.~~** If all primary conservation area lands constitute less than the required percentage of open space, the balance of the open space shall consist of other lands (lands other than primary conservation areas) on the site, in accord with ~~Section 6-2006(A).~~

(iii) **Allowed Uses in Open Space.**

1. The uses allowed ~~on primary conservation area lands~~ are limited to those uses and activities for the respective protected area allowed in the environmental overlay districts or steep slope standards pursuant to ~~Section 4-1600 (MDOD), Section 4-1900 (LOD), Section 4-2000~~1500 (FOD) ~~(RSCOD)~~ and Section 5-1508 (Steep Slope Standards) ~~(also see Section 6-2005(A) (Conservation Design));~~

2. The uses allowed on the open space lands shall be limited to:

- a. Activities and uses allowed in open space, as defined in this Ordinance;
- b. In the TR-10 district and TR-3 districts, uses permitted in the Agriculture, Horticulture and Animal Husbandry Use Categories; and
- c. Easements and improvements for drainage, passive open space, communal sewer systems and septic systems, communal water supply systems, wells and other water supply systems.

Such uses and activities shall be subject to applicable environmental overlay district regulations and steep slope standards.

(c) Siting of the Open Space and Building Lots.

- (i) The location of the open space on the site shall be identified consistent with the requirements of Sections 5-701(C)(3)(b) and ~~6-2006(A)~~.
- (ii) The building lots shall be located on that portion of the site that is outside the open space ~~and within the DDA, and sited consistent with the requirements of Section 6-2006(A)~~.
- (iii) The lots and buildings within the subdivision shall be sited so as to reduce visibility of the lot groups from public rights-of-way and from other lot groups, by using existing topography, vegetation, distance and other factors to minimize impact. Options include siting lots and buildings sufficiently below ridgelines or treelines that the horizon will remain visually defined by the ridgeline or treeline rather than by the rooftops of the buildings, or placing lots and buildings at the far edge of a field as seen from a public right-of-way or other lot group.
- (iv) The residential lot group(s) shall be sited so as to relate to the open space and the other lot groups on the site and on adjacent lands, by maximizing the contiguity of other open space features such as vegetation, and natural features such as stream corridors, floodplains, wetlands, steep slopes, ridges, mountainsides, and wildlife habitat.

~~(D) Ownership and Maintenance of Conservation Areas and Open Space.~~
~~The conservation areas in the open space shall be owned and maintained in accordance with the provisions of Section 6-2008.~~

(E) Homeowners' Association and Responsibilities.

- (1) If any of the following features are present, the development shall have an incorporated Homeowners' Association ("HOA"). If any of the following areas or improvements are present within the development, the HOA shall have the right and responsibility to maintain the areas or improvements:

- 1 (a) Common areas within the development, if any, that are not
2 part of the required open space;
3 (b) The open space, if owned by the HOA;
4 (c) Any common recreational facilities;
5 (d) Private roads, if any, within or serving the development;
6 (e) Any storm water management ponds or areas;
7 (f) Fire protection pond(s), dry mains, or other improvements;
8 (g) Such other common facilities or improvements as may be
9 designated in the bylaws of the HOA.
- 10 (2) Prior to approval of a record plat for subdivision for the
11 development:
- 12 (a) The landowner shall submit documents for the creation of
13 the HOA to the County for review and approval, including
14 its bylaws, and all documents governing ownership,
15 maintenance, and use restrictions for common areas,
16 including a legal description of such areas and a description
17 of restrictions placed upon the use and enjoyment of the
18 land.
- 19 (b) The landowner shall agree that the association shall be
20 established by the landowner or applicant and shall be
21 operating (with financial subsidization by the owner or
22 applicant, if necessary) before approval of the first record
23 plat for the property; and
- 24 (c) Membership in the association shall be automatic
25 (mandatory) for all purchasers of dwelling units therein and
26 their successors in title.
- 27 (F) **Recognizing Protection by Right to Farm Act.** In the TR districts,
28 record plats and deeds authorized pursuant to this section shall include a
29 statement that agricultural operations enjoy the protection of the Right to
30 Farm Act (Va. Code Section 3.1-22.28 et seq.).

31
32 **5-702 Rural Hamlet Option.**
33

- 34 (A) **Purpose and Intent.** The primary purpose of the Rural Hamlet Option is
35 to provide an alternative to conventional A-3 and A-10 district subdivision
36 in rural areas. Such clustered development is intended to better harmonize
37 rural development with surrounding agricultural activities recognizing that
38 it is the County's primary goal to preserve and enhance farming and
39 farmland in rural Loudoun by the most feasible, effective, and equitable
40 methods available. This option is intended to conserve agricultural, forestal

1 and open space land, historic and natural features at the time that such land
2 realizes the development potential currently allowed in the agricultural
3 zoning district. Such clustered development is intended to permit the
4 compact grouping of homes located so as to blend with the existing
5 landscape, such as the rise and fall of the topography, hedgerows and
6 wooded areas, and to preserve to a greater extent the agricultural, forestal
7 and visual character of the landscape.
8

9 (B) **Rural Hamlet Permitted.** Rural hamlets are permitted in the A-3 and A-
10 10 districts. The district regulations shall apply to the extent not in conflict
11 with the regulations contained herein.
12

13 (C) **Rural Hamlet Defined.** A rural hamlet is characterized by the
14 configuration of all or a portion of the density permitted on a tract of land
15 under the district regulations, into a grouping of small residential lots on a
16 portion of the tract. More than one rural hamlet may be located on a tract.
17 A rural hamlet may consist of the following categories of land:
18

19 (1) **Hamlet Lots.** Smaller residential lots located in a contiguous
20 group, with adjacent and fronting lots oriented towards each other
21 as on a street, a green or a paved square. No fewer than five (5)
22 and no more than twenty five (25) hamlet lots may be grouped
23 together as a rural hamlet. Hamlet lots shall have a designated
24 building area. All land not designated as building area, private
25 access easements, and road rights-of-way shall be placed in a
26 permanent open space easement.
27

28 (2) **Open Space.** Residual land contiguous to a rural hamlet, which is
29 subject to a permanent open space easement.
30

31 (3) **Hamlet Green/Square.** Land located in the interior of a rural
32 hamlet, owned in common by hamlet lot owners and which is in a
33 permanent open space easement.
34

35 (4) **Conservancy Lots.** A lot, excluding the hamlet lots, open space
36 and/or hamlet green/square, which will remain as large parcel(s), the
37 bulk of which is in permanent open space easement and a portion of
38 which is designated a building area.
39

40 (D) **Permitted Uses.** The following uses are permitted in the various categories
41 of rural hamlet land. These uses shall supersede the permitted or permissible
42 uses that would otherwise apply in the underlying zoning district.
43

44 (1) **Building Area of Hamlet and Conservancy Lots.**
45

- (a) Dwelling, single family detached.
- (b) Bed and breakfast homestay.
- (c) Home occupation.
- (d) Guest house.
- (e) Water supply systems.
- (f) Wastewater disposal systems.
- (g) Accessory uses and structures, as per Section 5-101 of this Ordinance.
- (h) Dwelling unit, accessory.

(2) **Open Space Use.** All areas of the tract of land devoted to the Rural Hamlet Option other than the building areas lots and road rights-of-way, shall be subjected to a permanent open space easement. Such open space may be used for the following uses:

- (a) Agriculture, horticulture, forestry, and fishery uses including barns, stables and other structures accessory or incidental to such uses.
- (b) Conservation of open land in its natural state, i.e., woodland, fallow fields, grasslands, wetlands, floodplains, and the like.
- (c) Passive open space or passive recreation, including but not limited to trails, picnic areas, community gardens.
- (d) Active recreation space, including golf courses.
- (e) Equestrian uses of any kind.
- (f) Easements and improvements for drainage, access, sewer or water lines, or other public purposes.
- (g) Stormwater management facilities for the proposed development or for a larger area in compliance with a watershed stormwater management plan.
- (h) Water supply systems.

(i) Accessory uses, such as swimming pools, tennis courts, and other accessory uses and structures pursuant to Section 5-101.

(j) Sewage disposal systems.

(E) **Minimum Tract Size.** A rural hamlet shall be located on a tract, or portion thereof, at least forty (40) acres in size.

(F) **Lot Requirements.**

(1) **Hamlet Lot.**

(a) **Lot Size.** 10,000 sq. ft. minimum.
3 acres maximum.

(b) **Building Area.** 5,000 sq. ft. minimum.
15,000 sq. ft. maximum.

(c) **Lot Width.** 64 feet minimum.
150 feet maximum.

(d) **Length/Width Ratio.** 6.0:1 maximum.

(e) **Front Yard.** (as defined in Article VIII)

6 feet minimum.
40 feet maximum,
provided that all principal
buildings shall be located
so that the maximum
deviation for adjacent
front facades shall not
exceed 15 feet, and
provided further that this
maximum Front Yard
requirement shall not
apply to lots located within
subdivisions approved
under the zoning
ordinance in effect prior to
June 16, 1993, and subject
to the provisions of

Section 1-103(H) of this Ordinance.

(f) **Rear Yard.** 20 feet minimum.

(g) **Side Yard.** 8 feet minimum.

(h) **Building Height.** 35 ft. maximum.

(i) **Building side yard restriction line.** Dwellings, guest houses, garages and other such structures shall not trespass into minimum side yards. However, detached garages located at the rear of a lot (i.e., behind the rear building line) and attached to a similar garage on a contiguous lot may be located within the side yard setback.

(2) **Hamlet Green/Square.** Maximum distance between building areas of cluster lots facing across a hamlet green/square: 350 feet.

(3) **Conservancy Lots.**

A-3 District

A-10

(a) **Lot Size.** 10 acres min. 30 acre min.

(b) **Lot Width.** 300 ft. min. 500 ft. min.

(c) **Length/Width Ratio.** 5:1 max. 5.1 max.

(d) **Building Area.** 7,500 sq.ft. min. 15,000 sq.ft. max.

(e) **Front and Side Yard.** 25 feet min.

(f) **Rear Yard.** 20 feet min.

(g) **Building Height.** 35 feet max.

(G) **Determination of Density.** The potential number of hamlet and conservancy dwelling units shall be based on either of the following, at the option of the landowner:

(1) In the A-3 District, one (1) dwelling unit per five (5) net acres. In the A-10 District, one dwelling unit per ten (10) acres.

(2) The number of dwelling units permitted at a minimum lot size of three (3) or ten (10) acres in the A-3 or A-10 zoning districts

1 respectively is based on topography, floodplain and availability of
2 septic drainfields. Drainfields shall be submitted to the Loudoun
3 County Health Department for approval in accord with the Land
4 Subdivision and Development Ordinance (LSDO).
5

- 6 (3) For each conservancy lot of fifty (50) acres or greater in size, one (1)
7 additional dwelling unit shall be included in the determination of
8 density.
9

10 (H) **Open Space Requirements.**
11

- 12 (1) **Minimum Open Space.** The minimum amount of land in a Rural
13 Hamlet devoted to open space and subject to permanent open space
14 easements shall be no less than eight-five percent (85%) of the total
15 land area in the Rural Hamlet. All land not designated as building
16 areas, private access easements, and rights-of-way for roads shall be
17 permanent open space.
18

- 19 (2) **Minimum Open Space Widths Surrounding the Hamlet.** There
20 shall be a minimum of 200 feet width of land in open space between
21 the outside boundary of hamlet lot building areas and the tract
22 boundary. There shall be a minimum of 800 feet between the hamlet
23 lot building area boundaries of two hamlets on the same tract.
24 Reduction of these dimensions may be permitted by the Board of
25 Supervisors (see 5-702(L)), upon recommendation of the Planning
26 Commission, based upon a finding that due to the topography,
27 forestation, or presence of prime agricultural soils or environmentally
28 sensitive areas, such reduction will preserve rural vistas, preserve
29 farmland, screen dwellings from existing roads or adjacent
30 properties, or preserve environmentally sensitive areas.
31

- 32 (3) **Maximum Hamlet Building Area Depth.** The outside boundaries
33 of the building areas of hamlet lots facing one another across a street
34 shall not exceed 300 feet. The outside boundaries of the building
35 areas of hamlet lots facing one another across a hamlet green/square
36 shall not exceed 550 feet.
37

38 (I) **Utilities and Public Facilities Requirements.**
39

- 40 (1) **Water.** Hamlet lots shall be served either by:
41

42 (a) Individual wells on or off each lot, or
43

44 (b) A communal water system constructed by the developer, or
45

1 (c) A municipal water system if located within an area
2 designated for such connection in the Comprehensive Plan,
3 or
4

5 (d) Connection with an existing rural village or other public
6 water system.
7

8 All water systems shall comply with applicable town,
9 County, State, and/or LCSA standards and requirements,
10 including a commission permit if required by applicable law.
11 As for (a) and (b) above, the Health Department approval of
12 both a safe and adequate water supply system and designated
13 backup well sites based on hydrogeological studies, shall be a
14 precondition to recordation of a record plat establishing a
15 rural hamlet.
16

17 (2) **Wastewater.** Hamlet lots shall be served either by:
18

19 (a) Individual septic tank drainfields located on or off the lot, or
20

21 (b) A communal wastewater treatment system constructed by the
22 developer, or
23

24 (c) A municipal wastewater system, if located within an area
25 designated for such connection in the Comprehensive Plan;
26 or
27

28 (d) Connection with an existing rural village or other public
29 wastewater treatment system.
30

31 All wastewater systems shall comply with applicable town,
32 County, State, and LCSA standards and requirements,
33 including a commission permit if required by applicable law.
34

35 (3) **Fire Protection.** Every hamlet shall satisfy the fire protection
36 standards set forth in the Facilities Standards Manual, or if no such
37 standards are in effect, shall have all weather access road for a pump
38 truck to an adequate pond with a water withdrawal main or to a water
39 tank of sufficient capacity for fire protection.
40

41 (4) **Roads.** Seven (7) rural hamlet lots or less may be served by a
42 private access easement. Twenty-five (25) rural hamlet lots or less
43 may be served by a VDOT fixed generation, tertiary Class II road.
44 All other roads shall be VDOT Class II roads. All other Rural
45 Hamlet roads shall be built to VDOT secondary road standards.

1 Roads serving two or more hamlets, with a combined traffic
2 loading exceeding 250 vehicles per day, shall generally have two
3 (2) access points to the existing rural road network.
4

5 (a) The Planning Commission may waive the two (2) access
6 requirement upon finding special topographic or other
7 circumstances which preclude implementation, but may in
8 this eventuality require alternative configurations of road
9 design, such as a divided median.
10

11 (b) Further, the Planning Commission may waive the public road
12 standards, thereby allowing up to twenty-five (25) rural
13 hamlet lots to be served by private access easements, should
14 the Planning Commission find that the waiver provisions
15 contained in this section are met. This alternative roadway
16 design option must be requested as part of the subdivision
17 application, and shall not be granted for the sole purpose of
18 circumventing the previously referenced public roadway
19 design criteria. In reviewing any proposed waiver, the
20 Planning Commission shall consider the following:
21

22 (i) Whether granting of the proposed waiver will
23 adequately provide for access by public safety service
24 (police, fire and rescue services).
25

26 (ii) Whether granting of the proposed waiver will protect
27 to the greatest extent possible topographic or physical,
28 natural, scenic, archaeological or historical features of
29 significant importance.
30

31 (iii) Whether the granting of the proposed waiver will be
32 in the public's best interest, specifically with regard to
33 future road maintenance considerations.
34

35 (iv) Whether the granting of the proposed waiver will
36 meet engineering standards with regard to steep
37 slopes, storm water control, drainage, soil erosion
38 control; mitigate floodplain impacts; assure adequate
39 dust control measures; and will minimize, to the
40 greatest extent possible, the impact on water and air
41 quality on adjoining properties.
42

43 (v) Whether the granting of the proposed waiver will
44 facilitate orderly and safe road development.
45

(vi) Whether the granting of the proposed waiver will minimize the impact of traffic on the existing roadway network.

(vii) Waiver requests shall be considered by the Planning Commission at a public meeting held within sixty (60) days of receipt of such request.

(5) **Parking.** Every hamlet lot shall include sufficient parking (which may or may not be paved) to accommodate four (4) cars.

(J) **Home Owner's Association.**

(1) Each rural hamlet or group of rural hamlets comprising a common development shall have an incorporated Home Owner's Association ("HOA") which shall have the right and responsibility to maintain the following areas and improvements:

(a) Common open space.

(b) Private roads, if any, within or serving the rural hamlet.

(c) Any stormwater management ponds or areas,

(d) Fire protection pond, dry mains, or other improvements; and

(e) Such other common facilities or improvements as may be designated in the HOA Bylaws.

(2) Easements for septic drainfields and wells located off of the lot shall be established at the time of the record plat for such lot, and shall run to the benefit of the lot served. The responsibility for maintaining or replacing such septic fields or wells shall be borne by the lot owner served by such easement.

(3) The permanent open space easement required in the rural hamlet shall be enforced by the County. Such easement shall be in a form approved by the County, and shall provide that, notwithstanding such easement, the eased portion of conservancy lots or hamlet lots shall be maintained by the owners of such lots, and that the County should bear no responsibility or liability for such maintenance. However, nothing contained herein shall prevent such landowners from leasing such open space for agricultural or other purposes as allowed in Section 5-702(D)(2) Open Space Use.

1 (4) The Home Owner's Association documents shall be submitted as part
2 of the initial record plat application and shall provide for adequate
3 initial funding and assessments to fund the maintenance of common
4 property and improvements.
5

6 (K) **Plat and Deed Notations.** Record plats and deeds for rural hamlet
7 subdivisions shall include a statement that agricultural operations enjoy the
8 protection of the Right to Farm Act, Va. Code Section 3.1-22.28 et seq.
9

10 (L) **Modification of Regulations.**
11

12 (1) Where there are conflicts between the rural hamlet provisions herein
13 and the general zoning, subdivision or other regulations and
14 requirements, the rural hamlet regulations shall apply.
15

16 (2) In addition, the Board of Supervisors may allow reasonable
17 modifications to other applicable regulations as follows:
18

19 (a) These other regulations serve public purposes to a lesser
20 degree than the rural hamlet, or
21

22 (b) The designs or solutions proposed by the applicant, although
23 not literally in accord with these other regulations, satisfy
24 public purposes to a greater degree, or
25

26 (c) The strict implementation of these other regulations would
27 prevent well designed rural hamlet development.
28

29 Such modifications may be granted by the Board of Supervisors by
30 special exception. Such modifications may be sought prior to filing
31 a preliminary plan of subdivision. The landowner shall include a
32 sketch plan of the proposed hamlet as part of the application for
33 modification and shall demonstrate the reasons for the request.
34

35 (M) **Advisory Rural Hamlet Siting and Design Guidelines.** Loudoun County
36 recognizes that every rural hamlet design will be a custom response to the
37 unique assets and constraints of each tract. As a consequence, the County
38 has only incorporated in the Rural Hamlet Ordinance those siting and design
39 rules required to preserve open space and to allow the clustering of
40 dwellings. However, the County does wish to encourage design consistent
41 with Loudoun's past in rural Loudoun and appends the following general
42 design guidelines as a suggestion to rural hamlet designers.
43

44 (1) **Siting.** Rural hamlets should be sited so as to nestle, or blend in a
45 subordinate way, into the existing landscape. Rural hamlets should




1 not be placed on the crest of a ridge but rather should be located in a
2 dip or depression or on the side of a hill.
3

4 (2) **Landscaping.** Rural hamlet designs should incorporate a mix of
5 evergreen trees, generally located to the north and west for winter
6 wind protection, and deciduous trees, located to the west and south,
7 for summer shade. Given the time required for trees to attain
8 maturity, existing stands of trees and hedgerows should be
9 incorporated in the new hamlets whenever possible. New plantings
10 of evergreen and deciduous trees should be native to the northern
11 Piedmont, such as yellow poplar, northern red and white oak,
12 hickory, white ash, black gum, hemlock, spruce and eastern red cedar
13 among others.
14

15 (3) **Ground Modeling and Screening.** In those circumstances where
16 natural contours, subsurface conditions and tract boundaries prevent
17 discreet hamlet placement, hamlet designers should seek to reduce
18 the development's apparent presence by locating earth berms near
19 adjacent roadways and/or planting screens of trees adjacent to
20 existing roads and tract boundaries.
21

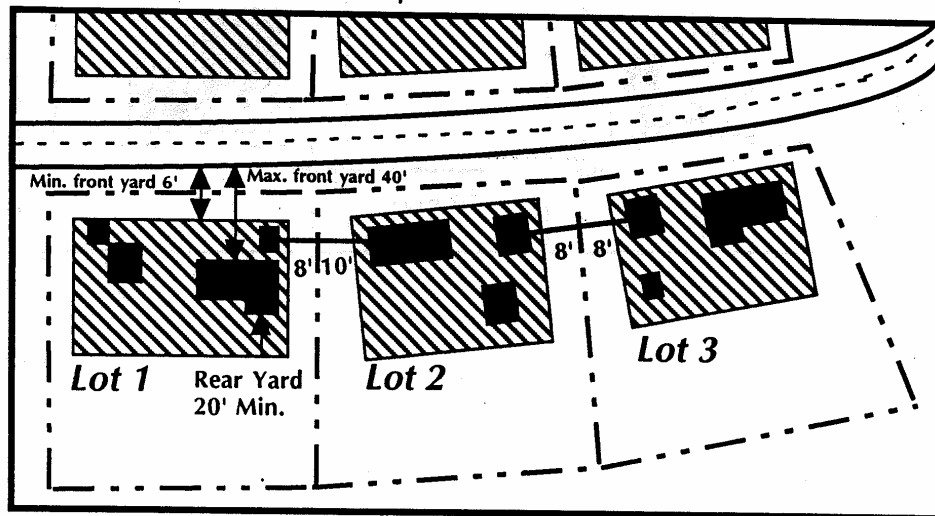
22 (4) **Grouping of Structures.** Dwellings in rural hamlets should be
23 placed in proximity to one another and to common wells or facilities.

Illustration of Hamlet Lot and Building Area

-  Hamlet Building Area
(min. 1/6 ac. max. 1/4 acre)
-  Structure located on
Hamlet Lot Building Area
-  Hamlet Lot
Eased Open Space

NOTE: For Illustrative Purposes only-

Refer to Ordinance Text for Requirements

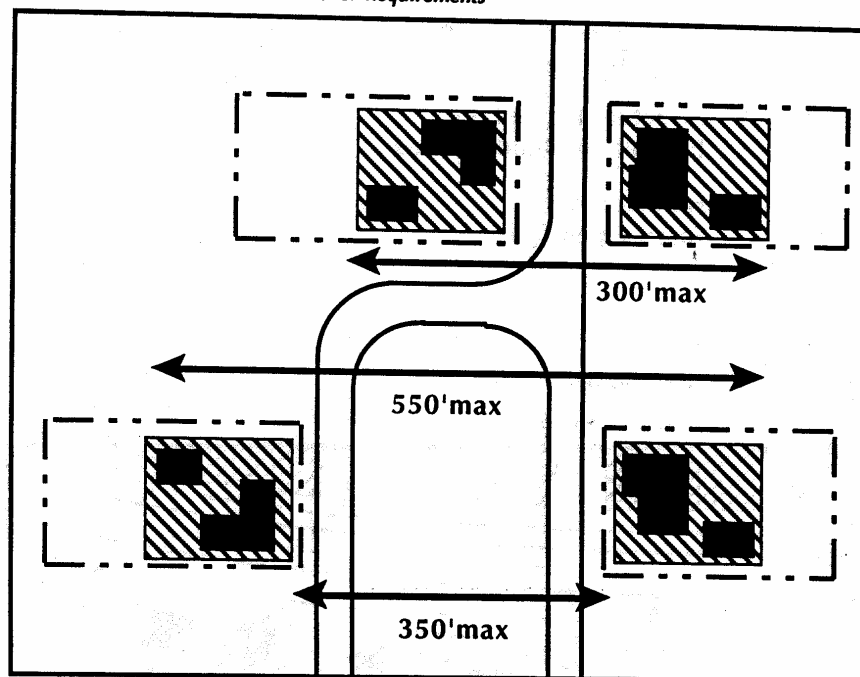


Section 5-700
Revision Date: June 17, 1998
Loudoun County Zoning Ordinance

Example of Maximum Widths in Rural Hamlets

NOTE: For Illustrative Purposes only-

Refer to Ordinance Text for Requirements



Section 5-700
Revision Date: June 17, 1998
Loudoun County Zoning Ordinance

Example of Hamlet Calculations and Ratios

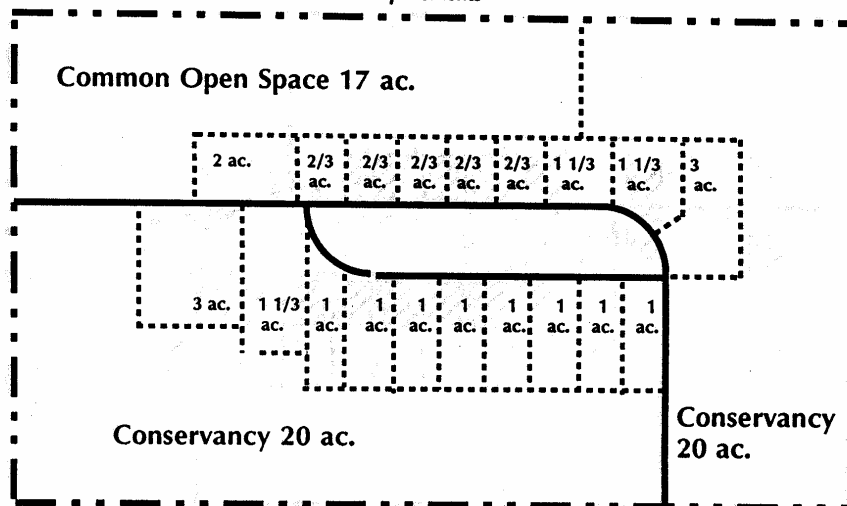
Figure 1. Hamlet Example Summary

88 ac. / 20 Hamlet and 2 Conservancy lots

90.34% All eased land

NOTE: For Illustrative Purposes only-

Refer to Ordinance Text for Requirements



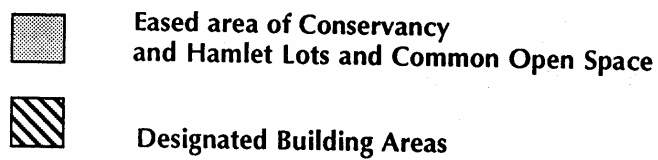
Section 5-700

Revision Date: June 17, 1998

Loudoun County Zoning Ordinance

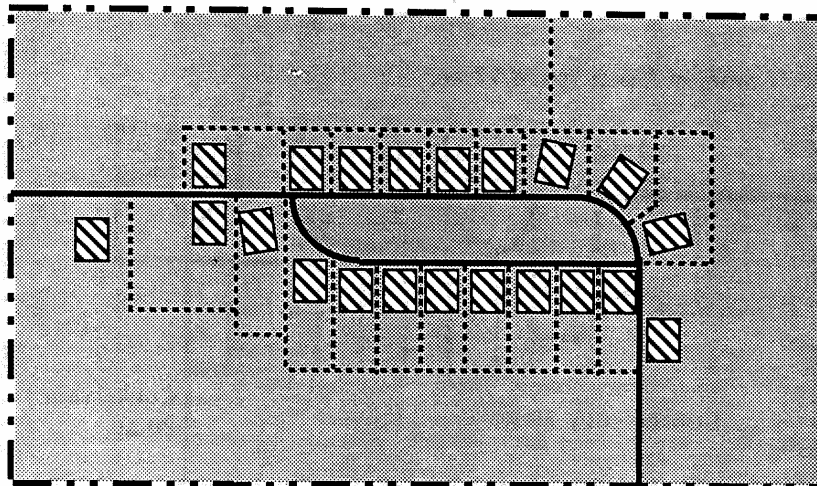
Example of Hamlet Calculations and Ratios

Figure 2. Illustrations of Eased Land and Building Areas in Hamlet



NOTE: For Illustrative Purposes only-

Refer to Ordinance Text for Requirements



Section 5-700
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1 **5-703 Agricultural Rural (AR) District Cluster Option.**

2 ~~(A) **Purpose.** The purpose of the Agricultural Rural (AR) District Cluster~~
3 ~~Option is to provide for residential single family detached development in~~
4 ~~the AR-1 and AR-2 districts that addresses conservation design standards,~~
5 ~~accommodates rural economy uses and ensures the form and character of~~
6 ~~residential development is consistent with the open character of the rural~~
7 ~~economy uses.~~

8 ~~(B) **General Requirements.** The requirements established in the following~~
9 ~~sections set forth the general and specific standards for development under~~
10 ~~the AR District Cluster Option.~~

11 ~~(1) **General.** A landowner may exercise the residential cluster option:~~

12 ~~(a) In the AR-1 district: on a site consisting of a minimum of~~
13 ~~30 contiguous acres.~~

14 ~~(b) In the AR-2 district: on a site consisting of a minimum of~~
15 ~~60 contiguous acres.~~

16 ~~For the purposes of this section, contiguous land ownership is not~~
17 ~~broken by a road or a public or private right of way or easement.~~

18
19 ~~(2) **Density/Clustering.** Under this AR cluster option, the residential~~
20 ~~development on the site shall be clustered according to the~~
21 ~~provisions of this section, and the maximum number of lots shall~~
22 ~~be:~~

23 ~~(a) AR-1 district: 1 lot per 10 acres, including the Rural~~
24 ~~Economy Conservation Lands lot.~~

25 ~~(b) AR-2 district: 1 lot per 20 acres, including the Rural~~
26 ~~Economy Conservation Lands lot.~~

27 ~~Accessory dwelling units and guest houses shall not be counted as~~
28 ~~dwelling units in the density calculation.~~

29
30 ~~(3) **Rural Economy Conservation Lands.** A minimum percentage of~~
31 ~~the site shall consist of Rural Economy Conservation Lands,~~
32 ~~subject to a conservation easement precluding further subdivision,~~
33 ~~as follows:~~

34 ~~(a) AR-1 district: 70 percent.~~

35 ~~(b) AR-2 district: 85 percent.~~

36
37 ~~(C) **Residential Cluster and Rural Economy Conservation Lands**~~
38 ~~**Standards.** The two elements of the residential cluster option are (1) the~~

1 residential cluster and (2) the Rural Economy Conservation Lands lot.
2 The site layout of these elements shall occur during the review of a
3 preliminary plat for subdivision, simultaneously with the analysis and site
4 planning required to be undertaken to comply with Section 6-2000
5 (Conservation Design). Development of the residential cluster and the
6 Rural Economy Conservation Lands shall comply with the following
7 standards.

8 (1) ~~Residential Clusters.~~ Clusters and lots within clusters shall
9 comply with the following standards, except as exempted by
10 Section 5-703(C)(1)(e).

11 (a) ~~Number of Lots in Cluster(s).~~ Residential cluster(s) shall
12 consist of a minimum of 5 lots and a maximum of 25 lots,
13 except that a cluster may consist of fewer than 5 lots if:

14 (i) There will be fewer than 5 lots on the entire site that
15 is to be developed under the cluster option;

16 (ii) In the AR-1 district, the area of the site is less than
17 50 acres; or

18 (iii) It is demonstrated that a cluster of fewer than 5 lots
19 will result in greater amounts of contiguous Rural
20 Economy Conservation Lands or result in less
21 denigration of primary conservation areas.

22 (b) ~~Number of Clusters.~~ Multiple clusters shall be required
23 where the total number of lots on a site is greater than 25. A
24 single cluster shall contain all the lots where the total
25 number of lots on a site is 25 or fewer, except that multiple
26 clusters may be allowed where:

27 (i) It is demonstrated that multiple clusters will result
28 in greater amounts of contiguous Rural Economy
29 Conservation Lands or result in less denigration of
30 primary conservation areas; and

31 (ii) None of the clusters contains fewer than 5 lots,
32 unless allowed as provided in Section 5-
33 703(C)(1)(a) above.

34 (c) ~~Dimensional Standards of Lots Within Cluster(s).~~

35 (i) The area of any individual residential cluster lot
36 shall not exceed 3 acres, except common open
37 space owned by an HOA may exceed the 3-acre
38 maximum lot size.

39 (ii) There is no minimum lot size for a residential lot in
40 the cluster(s).

(iii) ~~Residential structures within the cluster shall be set back a minimum of 100 feet from any lot line adjoining an agricultural, horticultural, or animal husbandry use.~~

(iv) ~~The residential cluster lots shall be located in a contiguous group, with adjacent and fronting lots oriented towards each other as on a street or along a common area.~~

(d) **One Dwelling Unit on a Lot.** ~~The only principal use on each residential cluster lot, except the Rural Economy Conservation Lands lot, shall be one single family detached dwelling unit, and any accessory uses (including communal systems) allowed for the single family detached unit under this Ordinance.~~

(e) **HOA Common Area.** ~~In addition to the number of lots permitted above, a common open space area owned by an HOA may be provided within the DDA, created pursuant to Section 6-2000.~~

~~(2) **Rural Economy Conservation Lands Lot.** The required percentage of Rural Economy Conservation Lands on the site shall include primary conservation area lands and other lands, as may be necessary to meet the required percentage. The Rural Economy Conservation Lands shall be designed to be contiguous, and shall be included within one lot. Such lot shall be counted against the maximum number of lots permitted.~~

(a) **Allowed Uses on Rural Economy Conservation Lands.** ~~The following uses are allowed on the Rural Economy Conservation Lands:~~

(i) ~~The uses allowed on primary conservation area lands on the Rural Economy Conservation Lands are limited to those uses and activities for the respective protected area allowed in the environmental overlay districts or steep slope standards pursuant to Section 4-1600 (MDOD), Section 4-1900 (LOD), Section 4-1500 (FOD) 2000 (RSCOD) and Section 5-1508 (Steep Slope Standards).~~

(ii) ~~The uses allowed on the other Rural Economy Conservation Lands are limited to those uses specified below which are subject to the Additional Regulations for Specific Uses in Section 5-600:~~

1. ~~One single family detached unit (including accessory uses such as an accessory apartment) is permitted, in association with on-going agricultural uses. It shall be calculated as part of the density allowed on the site under the cluster option.~~
2. ~~Permitted Agriculture, Horticulture and Animal Husbandry Uses.~~
3. ~~Permitted Agriculture Support and Services uses related to Agricultural, Horticulture and Animal Husbandry.~~
4. ~~Permitted Group Living uses (except co-housing and rooming houses).~~
5. ~~Permitted Conference and Training Center uses.~~
6. ~~Agricultural Cultural Center and Fairgrounds uses.~~
7. ~~Permitted Commercial Uses.~~
8. ~~Uses and structures accessory to those uses allowed to be developed on Rural Economy Conservation Lands pursuant to this subsection, consistent with the limitations of the accessory use standards.~~
9. ~~Easements and improvements for drainage.~~
10. ~~Passive open space.~~
11. ~~Communal sewer systems and septic systems.~~
12. ~~Communal water supply systems, wells, and other water supply systems.~~
13. ~~HOA structure(s) if the Rural Economy Conservation Land is owned as common open space by the HOA.~~

~~(3) Cluster Development Relationships.~~

- (a) ~~**Visual Compatibility.** The lots and buildings of the residential cluster(s) shall be sited so as to reduce visibility of the cluster(s) from public rights of way and from other cluster(s), by using existing topography, vegetation, distance and other factors to minimize impact. Options include siting lots and buildings sufficiently below~~

~~ridgelines or treelines that the horizon will remain visually defined by the ridgeline or treeline rather than by the rooftops of the cluster, or placing lots and buildings at the far edge of a field or pasture as seen from a public right-of-way or other cluster so that the view remains defined by an open and rural character.~~

(b) ~~**Contiguity of Rural Economy Conservation Lands.** The Rural Economy Conservation Lands lot shall be designed to maximize, to the extent feasible, the contiguity of such lands with other Rural Economy Conservation Lands off-site.~~

~~(D) Utility Requirements.~~

~~(1) **Water.** Residential lots may be served with individual wells or by communal water supply systems. Such wells and water supply systems or their components may be located on or off the individual lot, and may be located within the Rural Economy Conservation Lands consistent with the standards of this section and Section 6 2005.~~

~~(2) **Wastewater.** Residential lots may be served by communal sewer systems or by septic systems. Such systems and their components may be located on or off the individual lot, and may be located within the Rural Economy Conservation Lands consistent with the standards of this section and Section 6 2005.~~

~~(E) **Fire Protection.** The residential cluster shall satisfy the fire protection standards set forth in the Facilities Standards Manual, or if no such standards are in effect, shall have an all-weather access road for a pump truck to an adequate pond with a water withdrawal main or to a water tank of sufficient capacity for fire protection as determined by the Director of Building and Development.~~

~~(F) **Roads.** The residential cluster lots may be served by a private access easement with gravel road surfaces that comply with standards contained in the Facilities Standards Manual.~~

~~(G) **Ownership and Maintenance of Rural Economy Conservation Lands.** The primary conservation areas and other lands on the Rural Economy Conservation Lands shall be owned and maintained in accordance with the provisions of Section 6-2008.~~

1 (H) ~~Homeowners' Association and Responsibilities.~~

2 (1) ~~The cluster development shall have an incorporated Homeowners'~~
3 ~~Association ("HOA") if any of the following areas or~~
4 ~~improvements are present within the cluster development. The~~
5 ~~HOA shall have the right and responsibility to maintain the areas~~
6 ~~or improvements.~~

7 (a) ~~Common areas within the cluster, if any, that are not part of~~
8 ~~the required Rural Economy Conservation Lands;~~

9 (b) ~~The Rural Economy Conservation Lands, if owned by the~~
10 ~~HOA;~~

11 (c) ~~Private roads, if any, within or serving the cluster~~
12 ~~development;~~

13 (d) ~~Any stormwater management ponds or areas;~~

14 (e) ~~Fire protection pond(s), dry mains, or other improvements;~~

15 (f) ~~Such other common facilities or improvements as may be~~
16 ~~designated in the bylaws of the HOA.~~

17
18 (2) ~~Prior to approval of a record plat for subdivision for the cluster:~~

19 (a) ~~The landowner shall submit documents for the creation of~~
20 ~~the HOA to the County for review and approval, including~~
21 ~~its bylaws, and all documents governing ownership,~~
22 ~~maintenance, and use restrictions for common areas,~~
23 ~~including a legal description of such areas and a description~~
24 ~~of restrictions placed upon the use and enjoyment of the~~
25 ~~land.~~

26 (b) ~~The landowner shall agree that the association shall be~~
27 ~~established by the landowner or applicant and shall be~~
28 ~~operating (with financial subsidization by the owner or~~
29 ~~applicant, if necessary) before approval of first record plat~~
30 ~~for the property; and~~

31 (c) ~~Membership in the association shall be automatic~~
32 ~~(mandatory) for all purchasers of dwelling units therein and~~
33 ~~their successors in title.~~

34
35 (I) ~~Recognizing Protection by Right to Farm Act. Record plats and deeds~~
36 ~~authorized pursuant to this section shall include a statement that~~
37 ~~agricultural operations enjoy the protection of the Right to Farm Act (Va.~~
38 ~~Code Section 3.1-22.28 et seq.) on the Rural Economy Conservation~~
39 ~~Lands.~~

1
2 **~~5-704 Common Open Space for Permitted Urban Clusters as permitted in various~~**
3 **~~sections contained in Article III and Article IV of this Zoning Ordinance.~~**
4

5 ~~(A) Common open space shall be designed to constitute a contiguous and~~
6 ~~cohesive unit of land which may be used for active or passive recreation by~~
7 ~~residents.~~
8

9 ~~(B) Common open space shall be accessible to all permitted uses and all~~
10 ~~residential units within the subject development and shall be located~~
11 ~~within a reasonable walking distance of such units.~~
12

13 ~~(C) All common open space shall be permanently reserved, managed, and~~
14 ~~maintained as open space by a means acceptable to the Board of~~
15 ~~Supervisors, and at no cost to the County.~~
16

17 ~~(D) No major floodplain shall be included in calculating the amount of common~~
18 ~~open space required.~~
19
20